

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
) 4:03CR3161
Plaintiff,)
)
V.)
) MEMORANDUM
)
) AND ORDER
JAMES W. McCrimmon,)
)
Defendant.)

I have received the medical study requested from the Bureau of Prison. The matter is now ready for sentencing. Accordingly,

IT IS ORDERED that:

1. The report of the Bureau of Prisons, attached hereto, shall be filed under seal, but copies shall be provided to counsel and the probation officer.
2. Sentencing is scheduled for Tuesday, September 19, 2006, at 12:30 p.m., at which time the defendant shall be personally present.
3. The parties should be prepared to advise me whether a sentence less than that called for under the advisory Guidelines is warranted given the fact that the Bureau of Prisons found “no significant illness or significant risk factors interfering with [the defendant’s] average life expectancy” (page 6 “Medical Summary”), but also recognizing that the Bureau of Prisons found the defendant suffers from “severe calcific aortic stenosis” (page 3 “Medical Summary”) that will probably require an “aortic valve replacement” (page 4 “Medical Summary”).

August 11, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge